

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X	:	
DALMADO GAUTIER, et al.,	:	
	:	
Plaintiffs,	:	
	:	20 Civ. 3776 (LGS)
-against-	:	
	:	
3 WAY RESTAURANT, INC., et al.,	:	<u>ORDER</u>
Defendants.	:	
-----X	:	

LORNA G. SCHOFIELD, District Judge:

WHEREAS, on September 10, 2020, Plaintiffs filed a motion for default judgment (the “Motion”). *See* Dkt. Nos. 37-39.

WHEREAS, on September 11, 2020, the Court directed Defendants 3 Way Restaurant Inc. (d/b/a 3 Way), Migeulina Luna and Luis O. Bruno to appear to show cause before a motion term of the Court, on October 15, 2020, why a judgment of default should not be entered pursuant to Rule 55 of the Federal Rules of Civil Procedure against them (the “Hearing”). Dkt. No. 45.

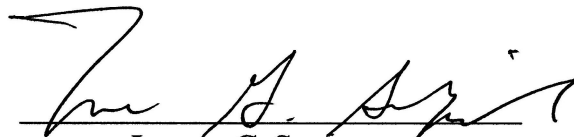
WHEREAS, the Hearing was held and both parties appeared.

WHEREAS, during the Hearing Plaintiffs indicated they are “withdrawing the motion [for default judgment] and accepting the answer.” For the reasons stated at the conference, it is hereby

ORDERED that Plaintiffs’ motion for default judgment is DENIED as moot. It is further

ORDERED that the parties shall meet and confer to try and resolve any disputes regarding affidavits of service and attorneys’ fees related to the Motion, and if necessary, file a pre-motion letter pursuant to the Court’s Individual Rules, regarding outstanding issues.

Dated: October 15, 2020
New York, New York


LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE